

HCBS Final Rule Evidentiary Package

Countryside Retirement Community



Setting information

Setting name: Countryside Retirement Community	ID # 20030
Street address: 1100 1 st Ave. S. Sleepy Eye, MN 56085	Phone: 507-300-1280
Setting website, if applicable: Countryside Retirement Community (http://countrysideretirement.org)	Date of site visit: 6/20/2018

Waiver service type

Waiver service	Service type:
<input type="checkbox"/> Alternative Care (AC) <input checked="" type="checkbox"/> Elderly Waiver (EW) <input type="checkbox"/> Brain Injury (BI) <input checked="" type="checkbox"/> Community Access for Disability Inclusion (CADI) <input type="checkbox"/> Community Alternative Care (CAC) <input type="checkbox"/> Developmental Disabilities (DD)	Customized Living

Reason for heightened scrutiny

Prong type	Category	Type of setting
Prong 1 Located in a Public or Private Institution	Name of Institution	Name of Institution Sleepy Eye Care Center

Note: The term people/person (resident for residential settings) refers to people receiving Medicaid HCBS waiver service

General summary

Countryside Retirement Community is a customized living setting in Sleepy Eye, MN. Sleepy Eye is a city in southwestern MN in Brown County. Sleepy Eye had a population of 3,599 people in the 2010 census and is a rural city. The customized living setting is on a continuum of care campus that offers independent living, customized living, customized living with 24 hour staffing, adult day services, short term rehabilitation services and skilled nursing care. The setting has 54 apartments. As of August, 2018 they had 51 apartments occupied, with 8 people utilizing both the Elderly Waiver the Community Access for Disability Inclusion (CADI) waiver.

Customized living provider standards/qualifications

Licensure requirements and other state regulations for customized living services clearly distinguish these services/settings from institutional licensure or regulations.

Customized living services are provided in housing with services establishments with the service provider directly licensed as a comprehensive home care provider by the Minnesota Department of Health. Customized Living services provide an individualized package of regularly scheduled health-related and supportive services provided to a person who resides in a qualified, registered housing with services establishment.

Customized living service definitions that support the setting requirements

Customized living (CL) and 24-hour CL services include component services designed to meet the person’s assessed needs and goals. Individualized CL services may include supervision, home care aide tasks (e.g., assistance with activities of daily living), home health aide task (e.g., delegated nursing tasks), home management tasks, meal preparation and service, socialization, assisting enrollees with arranging meetings and appointments, assisting with money management, assisting participants with scheduling medical and social services, and arranging for or providing transportation. If socialization is provided, it must be part of the service plan, related to established goals and outcomes and not diversional or recreational in nature.

For more details about the component services, including what is covered and distinctions between each see [Customized Living Component Service Definitions, DHS-6790H \(PDF\)](#).

(<https://edocs.dhs.state.mn.us/lfserver/Public/DHS-6790H-ENG>)

Minnesota’s Community Based Services Manual (CBSM) provides the following requirements for customized living services:

[CBSM page on Customized Living](#)

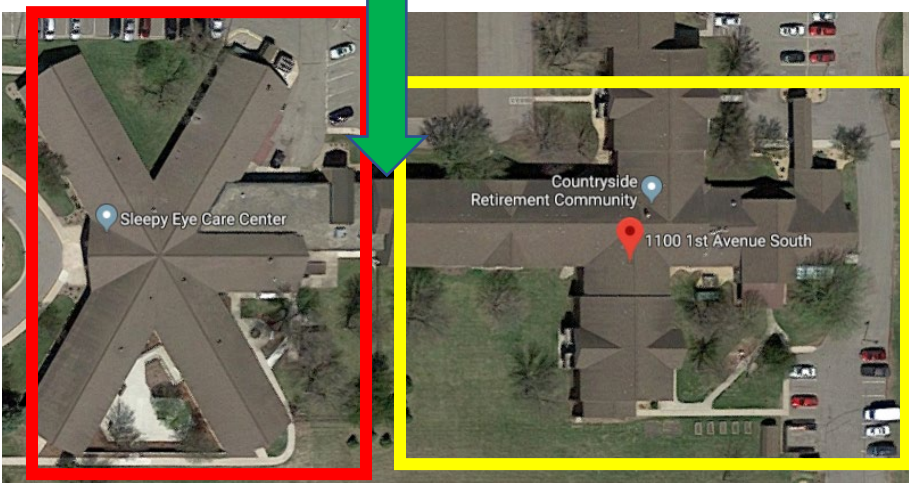
(http://www.dhs.state.mn.us/main/id_001787#)

Prong 1 and Prong 2 settings

Meaningful distinction between the facility and HCBS setting

States must submit strong evidence that the setting presumed institutional has the characteristics of a HCBS setting and not an institutional setting.

Determination	Summary
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</p> <p>The campus has an executive director who is the licensed administrator for the nursing facility, and there is a separate Residence Director that is responsible for the customized living setting. They are operated as two separate programs.</p>

<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>To the extent any facility staff are assigned occasionally or on a limited basis to support or back up the HCBS staff, the facility staff are cross-trained to meet the same qualifications as the HCBS staff,, (staff training materials that speak of the need to support individuals’ chosen activities), (person centered planning) (the staff is trained specifically for home and community-based support in a manner consistent with the HCB settings regulations.)</p> <p>There are staff from the nursing facility that occasionally work in the customized living setting, but do not work in both places during the same shift. These facility staff are fully trained in the HCBS rule before working in the customized living setting.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Participants in the setting in question do not have to rely primarily on transportation or other services provided by the facility setting, to the exclusion of other options; (Describe the proximity to avenues of available public transportation or an explanation of how transportation is provided where public transportation is limited.)</p> <p>The setting has a van they use to transport people to activities and appointments. In addition, there is public transit, the Heartland Express, which can be scheduled. People can use Superior Mobility for non-emergency medical transportation.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>The setting provides HCBS services in a space that is distinct from the space that institutional services are provided.</p> <p>The customized living setting is in a separate building from the nursing facility. They are connected through a vestibule and door. The red square is the nursing facility and the yellow square is the customized living setting. The green arrow is where they are connected.</p> 

Community engagement opportunities and experiences

Countryside offers opportunities for people to stay engaged and involved in the greater community. When a person moves into the setting they are asked about their interests and hobbies. The setting plans activities based on the interests shared, as well as information they gather at their tenant meetings. There is also a suggestion box available for feedback. People are made aware of the community experiences through a calendar that is distributed monthly. Activities are also posted around the building and staff will approach people to remind them of activities scheduled for the day. The customized living has its own calendar of activities, but people are welcome to join the nursing facility for activities if they choose. Some of the community activities that have been offered are:

- Grocery shopping trips
- Lunch at local restaurants
- Trips to Schweiss Meats
- Trips to the Dollar Store
- Music in the Park
- Drives to see the farms in the area, some of which are their previous residences



Bulletin board

People also access the community with their friends and families and with other people who live in the setting. Some activities they enjoy are:

- Religious services
- A group of ladies get their hair done regularly
- Family gathering and holiday celebrations
- Eating out at restaurants.



Suggestion box

Scheduled on site activities include bingo, exercise classes, crafts, seasonal activities like picnics and entertainment such as music.





The setting has a nice patio area where people can sit and visit. One person interviewed said she loves this about the setting. She said she loves seeing the grass in the summer.



HCBS characteristics

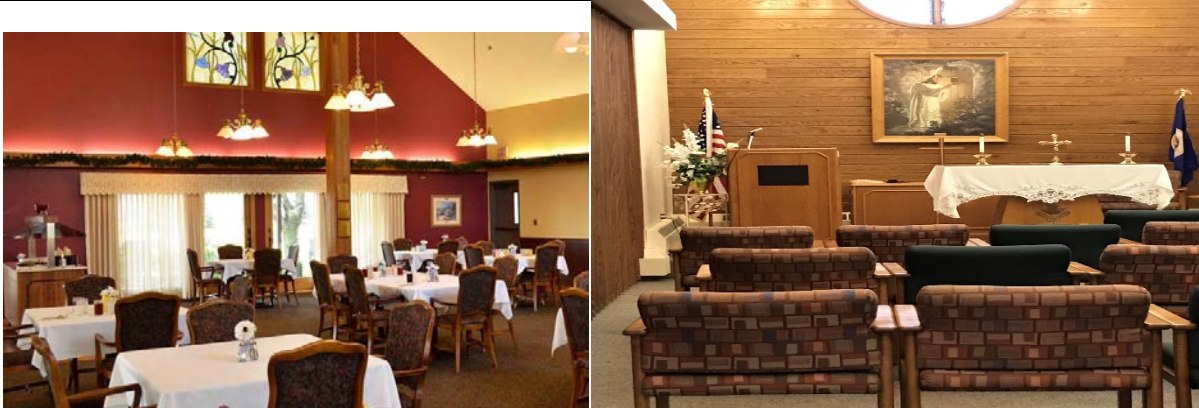
<p>This section is a summary of the individual HCBS characteristics required in the HCBS rule. The findings for each characteristic are identified through the setting attestation documentation, on-site observation or both.</p>	
<p>HCBS Rule requirement</p>	<p>Compliance status</p>
<p>Each person at the setting has a written lease or residency agreement in place providing protections to address eviction processes and appeals.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The setting provided a HCBS compliant lease agreement as documentation through the provider attestation process. People interviewed confirmed that they signed a lease.</p>	<p>Compliant</p>
<p>Each person at the setting has privacy in his/her sleeping or living unit including a lockable door.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Locks were observed on all unit doors in the setting. People living in the setting who were interviewed confirmed that they are aware they can use the lock on their unit door if they choose for privacy.</p>	<p>Compliant</p>
<p>The setting facilitates that a person, <i>who shares a bedroom</i>, is with a roommate of their choice.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>Not applicable. This setting does not have any shared bedrooms except for partners/spouses or roommates of their choice.</p>	<p>Compliant</p>
<p>The setting provides people with the freedom to furnish and decorate their bedroom and living unit within the lease or residency agreement.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The lease allows people in the setting to decorate and personalize their living units. Interviews were done in people’s apartments, and they were observed to be decorated with personal photos, mementos and decorations of their choice.</p>	<p>Compliant</p>

<p>The setting provides people the freedom and support to control their daily schedules including access to food at any time.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>When people were interviewed they said they feel they can choose their daily schedules, whether they want to participate in activities or not and that they know they can get food at any time. One person said she has had her dinner saved for her when she got back late. Interviews with staff confirmed that meals can be held with prior notice and that snacks are provided at any time for people. Each person also has a full kitchen in their unit.</p>	<p>Compliant</p>
<p>The setting allows people to have visitors at any time.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>People interviewed said they knew that they could have visitors at any time, and in fact that they children visit frequently. One person said if they didn't feel like staying in their apartment that the setting has nice sitting areas to visit in, like the one in this photo.</p> 	<p>Compliant</p>
<p>The setting provides opportunities for people to seek employment and work in competitive integrated settings.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>At this time, no one living in this setting is employed. However, people do volunteer and the staff accommodate their desired schedules by offering flexible programming.</p>	<p>Compliant</p>

<p>The setting is physically accessible to the individual.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p>  <p>The common spaces and living units were observed to be accessible. Living units and bathrooms were observed to have accessibility features like the accessible shower shown in this photo.</p>	<p>Compliant</p>
<p>The setting provides people opportunities to access and engage in community life.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>See Community Engagement Section. People have opportunities to participate in the community in many ways. The setting offers some on-site services such as outpatient therapies, and people are informed of all of their options including community providers. One person interviewed said it was very convenient to get her physical therapy on site but has most of her medical appointments in the community. She said Countryside helps her arrange for transportation for these appointments</p>	<p>Compliant</p>
<p>The setting supports the person's control of personal resources.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>Not applicable. This setting does not offer money management services.</p>	<p>Compliant</p>
<p>The setting ensures people's right to privacy.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Staff were observed knocking before entering people's apartments and when asked, both people interviewed said they feel their privacy is respected.</p>	<p>Compliant</p>

<p>The setting ensures people’s dignity and respect.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Prior to my interview with one person, staff were observed making sure the person felt comfortable being interviewed and asked where they would feel most comfortable. One person said the staff “are very nice to us”. People interviewed reported that they felt they were given respect.</p>	<p>Compliant</p>
<p>The setting ensures people’s freedom from coercion and restraint.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Staff are trained on the Minnesota Home Care Bill of Rights and the Minnesota Vulnerable Adults Act. A copy of the Home Care Bill of Rights is also given to people to inform them of their right to be free from coercion and restraint. The setting also has a bulletin board with rights and advocacy information and forms to fill out if they have a complaint.</p> <div data-bbox="743 768 1133 1058" data-label="Image"> </div> <p style="text-align: center;"><i>Bulletin board with rights information.</i></p>	<p>Compliant</p>
<p>The setting optimizes individual initiative, autonomy, and independence in making life choices, including daily schedule and with whom to interact.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>When asked if they feel they have choices about their life, people responded that they feel they do have choices. One person said she enjoys the interaction with so many people and all of the activity choices. Another person said he prefers to spend more time alone, and staff respect that, though they offer him choices for activities.</p>	<p>Compliant</p>

Pictures of the HCBS setting



Dining room and the chapel



Raised flower beds and indoor plants

Public comment summary

The Minnesota Department of Human Services (DHS) did not receive public comments for this setting.

DHS sought public comment from April 30, 2019, to June 9, 2019, before submitting settings to the Centers Medicare & Medicaid Services (CMS) for heightened scrutiny.

We sought public comments using the following methods:

- Evidentiary packages posted online on the [Home and Community Based Services Rule transition plan page](#)
- Evidentiary packages specific to each setting posted in a common area of the setting
- Notice of public comment period via [May 10, 2019, eList announcement](#)
- Notification to lead agencies via regional resource specialists
- Notification to providers via email
- Notification to managed care organizations and Area Agencies on Aging (AA) via email
- Notification to long-term care ombudsman office via email
- Disability Hub MN virtual insight panel.

Minnesota's recommendation

Date of recommendation: 7/1/2019

Minnesota supports that this setting overcomes the institutional presumption and meets the requirements of a home and community-based setting. Provider is required to maintain on-going compliance with all HCBS requirements.